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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

10 UNITED STATES OF AMERICA, ) No. CR 05-00077 JW  
11 Plaintiff, )  
12 v. ) **STIPULATION TO CONTINUE  
13 MICHAEL BARRETT, ) HEARING DATE AND EXCLUDE  
14 Defendant. ) TIME; ORDER**  
15

16 Defendant and the government, through their respective counsel, hereby stipulate that,  
17 subject to the Court's approval, the status conference set for October 17, 2005, should be moved  
18 to October 31, 2005, at 1:30 p.m, or as soon thereafter as the hearing may be set. The parties  
19 jointly request the continuance in order to finalize the terms of a proposed plea agreement.

20 The parties further agree that time should be excluded under the Speedy Trial Act for  
21 effective defense preparation, and because the ends of justice outweigh the defendant's and the  
22 public's need for a speedy trial.

23 Dated: 10/12/05

24 /s/  
25 LARA S. VINNARD  
26 Assistant Federal Public Defender

27 Dated: 10/12/05

28 /s/  
29 MATTHEW HARRIS  
30 Assistant United States Attorney



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA, ) No. CR 05-00077 JW  
Plaintiff, )  
v. ) **ORDER CONTINUING  
MICHAEL BARRETT, ) HEARING AND EXCLUDING TIME  
Defendant. )**

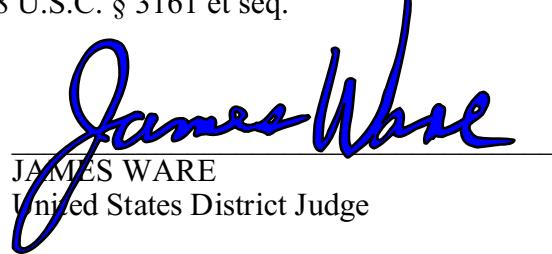
The parties have stipulated to continue the status conference in this matter from October 17, 2005, to October 31, 2005, at 1:30 p.m., to allow time for the parties to finalize the terms of a proposed plea agreement.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status conference in this matter is continued to October 31, 2005.

Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time from October 17, 2005 to October 31, 2005, be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

IT IS SO ORDERED.

Dated: 10/14/05

  
JAMES WARE  
United States District Judge